

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 668  
3 entitled “An act relating to evidence-based structured literacy instruction for  
4 students in kindergarten–grade 3 and students with dyslexia and to teacher  
5 preparation programs” respectfully reports that it has considered the same and  
6 recommends that the bill be amended by striking out all after the enacting  
7 clause and inserting in lieu thereof the following:

8 Sec. 1. PURPOSE

9 The purpose of this act is to provide assistance to supervisory unions in  
10 their implementation of 2018 Acts and Resolves No. 173 by providing grant  
11 funding to build systems-driven, sustainable literacy support for all students.

12 Sec. 2. FINDINGS

13 (a) In 2016 Acts and Resolves No. 148, the General Assembly directed the  
14 Agency of Education to contract with a consulting firm to review current  
15 practices and recommend best practices for the delivery of special education  
16 services in school districts. The Agency of Education contracted with the  
17 District Management Group, which issued in November 2017 its report entitled  
18 “Expanding and Strengthening Best-Practice Supports for Students who  
19 Struggle” (Report).

20 (b) This Report made the following five recommendations on best practices  
21 for the delivery of special education services:

- 1           (1) ensure core instruction meets most needs of most students;
- 2           (2) provide additional instructional time outside core subjects to students
- 3 who struggle rather than providing interventions instead of core instruction;
- 4           (3) ensure students who struggle receive all instruction from highly
- 5 skilled teachers;
- 6           (4) create or strengthen a systems-wide approach to supporting positive
- 7 student behaviors based on expert support; and
- 8           (5) provide specialized instruction from skilled and trained experts to
- 9 students with more intensive needs.

10           (c) In enacting 2018 Acts and Resolves No. 173, the General Assembly’s  
11 goal was to enhance the effectiveness, availability, and equity of services  
12 provided to all students who require additional support in Vermont’s school  
13 districts, recognizing that changing the models for delivery of services and  
14 funding for students who require additional support is a significant change for  
15 school systems and their constituencies, and that they will require time and  
16 assistance in making necessary adjustments.

17           (d) In Act 173, the General Assembly provided additional staff and  
18 resources to the Agency of Education to support its work with supervisory  
19 unions and schools that are transitioning to the best practices recommended in  
20 the Report.

1       (e) Further support for supervisory unions and schools that are transitioning  
2       to the best practices recommended in the Report are necessary, particularly in  
3       the area of teaching literacy to students in prekindergarten through grade 3,  
4       given that proficiency in reading is an essential foundational skill for  
5       educational success.

6       (f) According to the 2019 assessment of reading proficiency by the  
7       National Assessment of Educational Progress, only 37 percent of Vermont  
8       students in fourth grade were proficient in reading, and that percentage has  
9       declined from 2002 (39 percent) and 2017 (43 percent).

10       (g) Ensuring that students in prekindergarten through grade 3 learn to read  
11       at a proficient level advances the best practices recommended in the Report, in  
12       particular ensuring core instruction meets most needs of most students and  
13       ensuring that students who struggle receive all instruction from highly skilled  
14       teachers.

15       Sec. 3. LITERACY GRANT PROGRAM

16       (a) Definitions. As used in this section:

17               (1) “Eligible applicant” means three or more supervisory unions  
18       applying together for the same grant under this section.

19               (2) “Grant” means a grant provided under this section.

20               (3) “Participating supervisory unions” means the supervisory unions that  
21       are applying together as an eligible applicant.

1           (4) “Program” means the Literacy Grant Program created by this  
2           section.

3           (5) “Regional leadership team” means the superintendent or designee of  
4           each participating supervisory union included in the grant application by the  
5           eligible applicant, and two representatives of schools within those participating  
6           supervisory unions appointed by the superintendent.

7           (b) Program creation and grant authorization.

8           (1) The Literacy Grant Program is created to enable supervisory unions  
9           to work together in a sustained and targeted manner to adopt best practices in  
10           teaching literacy instruction to students in prekindergarten through grade 3. In  
11           recognition that literacy proficiency is a foundational learning skill, this  
12           program is designed to assist supervisory unions implement 2018 Acts and  
13           Resolves No. 173 by providing students with the literacy skills necessary to  
14           ensure that core instruction meets most needs of most students and that  
15           students who struggle receive all instruction from highly skilled teachers.  
16           Subject to the terms of the program, grants shall be awarded to eligible  
17           applicants for two consecutive years.

18           (2) The Agency of Education shall inform supervisory unions of the  
19           availability of grants under this act and provide technical assistance to eligible  
20           applicants in applying for these funds. The Agency of Education shall also

1 advise supervisory unions of other sources of funding that may be available to  
2 advance the purpose of this act.

3 (c) Application for, and approval of, grant funding.

4 (1) On or before August 1, 2020, the Agency of Education shall develop  
5 the application for the grant program and post the application on the Agency's  
6 website.

7 (2) The application for the grant shall include:

8 (A) the members of the eligible applicant's regional leadership team  
9 and a description of its governance structure;

10 (B) the person or persons who will disperse the grant funds among  
11 the participating supervisory unions, a description of the fiscal controls to  
12 ensure proper accounting of these funds, and the eligible applicant's program  
13 budget;

14 (C) the literacy indicators and outcomes the eligible applicant seeks  
15 to improve, which shall include each of phonemic awareness, phonics, reading  
16 fluency, vocabulary, and comprehension, and any other areas of focus in  
17 teaching literacy;

18 (D) the priority problems of practice in teaching and improving  
19 literacy outcomes, including shared problems of practice across the  
20 participating supervisory unions;

1           (E) the eligible applicant’s plan for improving literacy teaching and  
2           outcomes, including how the proposed plan will strengthen the applicant’s  
3           process towards ensuring that:

4                   (i) core literacy instruction meets most needs of most students;  
5           and

6                   (ii) students who struggle with literacy proficiency receive all  
7           instruction from highly skilled teachers;

8           (F) how the eligible applicant will implement its plan for literacy  
9           teaching and outcomes and a description of how it will achieve the purpose of  
10           this act;

11           (G) how literacy results and outcomes will be measured and reported;

12           (H) how the eligible applicant will improve its tier 1 education under  
13           16 V.S.A. § 2902 through this process; and

14           (I) how systems and processes developed through the grant funding  
15           will be sustained.

16           (3) The Agency shall develop application scoring criteria consistent with  
17           subdivisions (2)(A)–(I) of this subsection (c). On or before August 31, 2020,  
18           the Agency shall send a copy of the grant application and scoring criteria,  
19           review process, and selection criteria to the House and Senate Committees on  
20           Education.

1           (4) Eligible applicants shall submit applications for grant funding to the  
2           Agency of Education, which shall review those applications.  
3           Following the application review process, the Agency shall recommend  
4           applications to the Secretary for funding based on the review scores and  
5           funding dollars available. The Secretary shall make the final grant funding  
6           determination.

7           (5) Based on the Secretary’s determination, the Agency of Education shall,  
8           on or before October 1, 2020, award the first year of grant funding, up to  
9           \$100,000.00 per application, to successful applicants. The amount of this  
10          funding shall be based on applicant’s proposed budget and total availability of  
11          funds. If the amount appropriated for this purpose is insufficient to fully fund  
12          the grants under that section, then the grant amounts that are awarded shall be  
13          prorated.

14          (6) The Agency of Education shall, on or before November 1, 2021, award  
15          the second year of grant funding of up to \$100,000.00 per eligible applicant.  
16          The amount of this funding shall be based on applicant’s proposed budget,  
17          total availability of funds, and the Secretary’s assessment of the eligible  
18          applicant’s progress towards implementing its action plan to improve literacy  
19          teaching and outcomes under subdivision (2)(F) of this subsection. The  
20          Secretary may deny or reduce second-year grant funding if the Secretary finds  
21          that the applicant has made insufficient progress towards implementing its

1 action plan. If the amount appropriated for this purpose is insufficient to fully  
2 fund the grants under that section, then the grant amounts that are awarded  
3 shall be prorated.

4 (d) Use of grant funds.

5 (1) Grant funds shall be used to:

6 (A) establish the eligible applicant’s regional leadership team and its  
7 governance structure;

8 (B) implement the eligible applicant’s action plan to improve literacy  
9 teaching and outcomes under subdivision (c)(2)(F) of this section; and

10 (C) measure the literacy results and outcomes under subdivision  
11 (c)(2)(G) of this section.

12 (2) Grant funds may be used to:

13 (A) build literacy instructional leadership capacity to lead the  
14 improvement of the quality of literacy teaching and for the improvement of  
15 student learning;

16 (B) implement an instructional coaching model, as described in the  
17 guidelines for implementing effective coaching systems issued by the Agency  
18 of Education in March 2016 (Coaching Guidelines);

19 (C) implement a systems’ coaching model, as described in the  
20 Coaching Guidelines;



1           (D) support educators in using collaborative data systems to promote  
2           continuous improvement of literacy teaching and outcomes;

3           (E) provide focused training on the literacy indicators and outcomes  
4           the eligible applicant seeks to improve, which, if offered, shall include each of  
5           phonemic awareness, phonics, fluency, vocabulary, and comprehension, and  
6           any other areas of focus in teaching literacy;

7           (F) employ universal design for literacy learning, which is a  
8           framework to improve teaching and learning for all students based on scientific  
9           research on how people learn;

10          (G) employ evidence-based structured literacy instruction, including  
11          for students at risk for dyslexia or diagnosed with dyslexia; and

12          (H) employ any other proven method that builds sustainable  
13          systemwide improvement in literacy delivery and outcomes.

14          (3) Required activities shall not be duplicative of existing programs and  
15          activities.

16          (4) Grant funds may be used for hiring additional staff, providing  
17          additional compensation to existing staff, or contracting with another entity or  
18          entities to aid in the implementation activities under subdivision (1) of this  
19          subsection.

20          (e) Evaluation and reporting.

1           (1) Not later than 30 calendar days after the one-year anniversary of  
2           receiving a grant award under this section, the eligible applicant shall submit to  
3           the Agency of Education a report that describes progress and concerns with the  
4           implementation of the eligible applicant’s action plan to improve literacy  
5           teaching and outcomes under subdivision (c)(2)(F) of this section.

6           (2) On or before January 15, 2023, the Agency of Education shall report  
7           to the General Assembly and the Governor on the impact of the grant program.  
8           The report shall be made publicly available on the Agency of Education’s  
9           website.

10       Sec. 4. APPROPRIATION OF FUNDS

11           (a) Notwithstanding any provision of law to the contrary, \$800,000.00 is  
12           appropriated from the Education Fund to the Agency of Education for fiscal  
13           year 2021 designated for program grants under Sec. 3 of this act.

14           (b) The Agency of Education may set aside:

15           (1) not more than two percent of funds for informational and technical  
16           assistance for eligible applicants as defined under Sec. 3(a)(2) of this act; and

17           (2) not more than two percent of funds for the evaluations required  
18           under Sec. 3(e)(1) of this act.

19       Sec. 5. 16 V.S.A. § 261a is amended to read:

20       § 261a. DUTIES OF SUPERVISORY UNION BOARD

21           (a) Duties. The board of each supervisory union shall:

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(18) Adopt a benchmark literacy assessment for all students in prekindergarten–grade 3 with scores that can be reported in a format determined by the Secretary. The benchmark literacy assessment shall include an assessment of each of phonemic awareness, phonics, reading fluency, vocabulary, and comprehension.

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Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: “An act relating to providing assistance to supervisory unions in their implementation of 2018 Acts and Resolves No. 173 by providing grant funding to build systems-driven, sustainable literacy support for all students”

(Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

FOR THE COMMITTEE